



Senate

General Assembly

File No. 656

January Session, 2001

Substitute Senate Bill No. 935

Senate, May 8, 2001

The Committee on Appropriations reported through SEN. CRISCO of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT PROVIDING FOR THE CONTINUATION OF PUBLIC ASSISTANCE BENEFITS FOR LEGAL IMMIGRANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-112c of the general statutes is repealed and
2 the following is substituted in lieu thereof:

3 [(a)] Qualified aliens, as defined in Section 431 of Public Law 104-
4 193, who do not qualify for federally-funded cash assistance, other
5 lawfully residing immigrant aliens or aliens who formerly held the
6 status of permanently residing under color of law shall be eligible for
7 solely state-funded temporary family assistance, assistance under the
8 federal waiver for the demonstration program entitled "Reach for Jobs
9 First" or cash assistance under the state-administered general
10 assistance program, provided other conditions of eligibility are met.
11 An individual who is granted assistance under this section must
12 pursue citizenship to the maximum extent allowed by law as a
13 condition of eligibility unless incapable of doing so due to a medical

14 problem, language barrier or other reason as determined by the
15 Commissioner of Social Services. Notwithstanding the provisions of
16 this section, any qualified alien or other lawfully residing immigrant
17 alien or alien who formerly held the status of permanently residing
18 under color of law who is a victim of domestic violence or who has
19 mental retardation shall be eligible for assistance under this section.

20 [(b) Notwithstanding the provisions of subsection (a) of this section:
21 (1) A qualified alien admitted into the United States on or after August
22 22, 1996, or other lawfully residing immigrant alien determined
23 eligible for temporary family assistance or cash assistance under the
24 state-administered general assistance program prior to July 1, 1997, or
25 other lawfully residing immigrant alien or alien who formerly held the
26 status of permanently residing under color of law, shall remain eligible
27 for such assistance until July 1, 2001, and (2) a qualified alien, other
28 lawfully residing immigrant alien admitted into the United States on
29 or after August 22, 1996, other lawfully residing immigrant alien or an
30 alien who formerly held the status of permanently residing under
31 color of law and not determined eligible prior to July 1, 1997, shall be
32 eligible for such assistance subsequent to six months from establishing
33 residency in this state until July 1, 2001, except if the individual is
34 otherwise qualified for the purpose of state receipt of federal financial
35 participation.]

36 Sec. 2. Subsection (e) of section 17b-116 of the general statutes is
37 repealed and the following is substituted in lieu thereof:

38 (e) Persons domiciled and residing in Connecticut or who have no
39 other residence, and who are United States citizens or who have been
40 admitted as qualified aliens, as defined in Section 431 of Public Law
41 104-193, into the United States [prior to August 22, 1996,] or other
42 lawfully residing immigrant aliens or aliens who formerly held the
43 status of permanently residing under color of law shall be eligible for
44 support under the general assistance program. [A qualified alien

45 admitted into the United States on or after August 22, 1996, or other
46 lawfully residing immigrant alien determined eligible for general
47 assistance prior to July 1, 1997, shall remain eligible for such assistance
48 until July 1, 2001. Qualified aliens or other lawfully residing immigrant
49 aliens admitted into the United States on or after August 22, 1996, and
50 not determined eligible for assistance prior to July 1, 1997, shall be
51 eligible for such assistance subsequent to six months from establishing
52 residency in this state until July 1, 2001.] Qualified aliens must pursue
53 citizenship to the maximum extent allowed by law as a condition of
54 eligibility for the general assistance program unless incapable of doing
55 so due to a medical problem, language barrier or other reason as
56 determined by the Commissioner of Social Services. Notwithstanding
57 the provisions of this subsection, any qualified alien or other lawfully
58 residing immigrant alien or alien who formerly held the status of
59 permanently residing under color of law who is a victim of domestic
60 violence or who has mental retardation shall be eligible for general
61 assistance.

62 Sec. 3. Section 17b-257b of the general statutes is repealed and the
63 following is substituted in lieu thereof:

64 Qualified aliens, as defined in Section 431 of Public Law 104-193,
65 admitted into the United States on or after August 22, 1996, other
66 lawfully residing immigrant aliens or aliens who formerly held the
67 status of permanently residing under color of law [who have been
68 determined eligible for Medicaid or for state-administered general
69 assistance medical aid prior to July 1, 1997, may] shall be eligible [until
70 July 1, 2001,] for state-funded medical assistance which shall provide
71 coverage to the same extent as the Medicaid program, state-
72 administered general assistance medical aid or the HUSKY Plan, Part B
73 provided all other conditions of eligibility are met. [Such qualified
74 aliens or lawfully residing immigrant aliens or aliens who formerly
75 held the status of permanently residing under color of law who have
76 not been determined eligible for Medicaid or for state-administered

77 general assistance medical aid prior to July 1, 1997, shall be eligible for
78 state-funded assistance or the HUSKY Plan, Part B subsequent to six
79 months from establishing residency in this state until July 1, 2001.]
80 Notwithstanding the provisions of this section, any qualified alien or
81 other lawfully residing immigrant alien or alien who formerly held the
82 status of permanently residing under color of law who is a victim of
83 domestic violence or who has mental retardation shall be eligible for
84 state-funded assistance or the HUSKY Plan, Part B pursuant to this
85 section. Only individuals who are not eligible for Medicaid shall be
86 eligible for state-funded assistance pursuant to this section.

87 Sec. 4. Subsection (a) of section 17b-342 of the general statutes is
88 repealed and the following is substituted in lieu thereof:

89 (a) The Commissioner of Social Services shall administer the
90 Connecticut home-care program for the elderly state-wide in order to
91 prevent the institutionalization of elderly persons (1) who are
92 recipients of medical assistance, (2) who are eligible for such
93 assistance, (3) who would be eligible for medical assistance if residing
94 in a nursing facility, or (4) who meet the criteria for the state-funded
95 portion of the program under subsection (i) of this section. For
96 purposes of this section, a long-term care facility is a facility which has
97 been federally certified as a skilled nursing facility or intermediate care
98 facility. The commissioner shall make any revisions in the state
99 Medicaid plan required by Title XIX of the Social Security Act prior to
100 implementing the program. The annualized cost of the community-
101 based services provided to such persons under the program shall not
102 exceed sixty per cent of the weighted average cost of care in skilled
103 nursing facilities and intermediate care facilities. The program shall be
104 structured so that the net cost to the state for long-term facility care in
105 combination with the community-based services under the program
106 shall not exceed the net cost the state would have incurred without the
107 program. The commissioner shall investigate the possibility of
108 receiving federal funds for the program and shall apply for any

109 necessary federal waivers. A recipient of services under the program,
110 and the estate and legally liable relatives of the recipient, shall be
111 responsible for reimbursement to the state for such services to the
112 same extent required of a recipient of assistance under the state
113 supplement program, medical assistance program, temporary family
114 assistance program or food stamps program. [Only a United States
115 citizen or a noncitizen who meets the citizenship requirements for
116 eligibility under the Medicaid program shall be eligible for home-care
117 services under this section, except a qualified alien, as defined in
118 Section 431 of Public Law 104-193, admitted into the United States on
119 or after August 22, 1996, or other lawfully residing immigrant alien
120 determined eligible for services under this section prior to July 1, 1997,
121 shall remain eligible for such services until July 1, 2001. Qualified
122 aliens or other lawfully residing immigrant aliens not determined
123 eligible prior to July 1, 1997, shall be eligible for services under this
124 section subsequent to six months from establishing residency until July
125 1, 2001. Notwithstanding the provisions of this subsection, any
126 qualified alien or other lawfully residing immigrant alien or alien who
127 formerly held the status of permanently residing under color of law
128 who is a victim of domestic violence or who has mental retardation
129 shall be eligible for assistance pursuant to this section.] Qualified
130 aliens, as defined in Section 431 of Public Law 104-193, or other
131 lawfully residing immigrant aliens or aliens who formerly held the
132 status of permanently residing under color of law shall be eligible for
133 services under this section provided other conditions of eligibility are
134 met.

135 Sec. 5. This act shall take effect July 1, 2001.

HS Joint Favorable Subst. C/R

APP

APP Joint Favorable

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Significant Cost

Affected Agencies: Department of Social Services

Municipal Impact: None

Explanation**State Impact:**

This bill continues eligibility for certain qualified aliens for assistance under the temporary family assistance (TFA), state administered general assistance (SAGA), Medicaid, and home care programs. Under current law, eligibility for some of these individuals expires as of July 1, 2001. Based on recent expenditure trends, it is estimated that the annual benefit cost for these individuals is as follow:

Medicaid	\$3,500,000
TFA	\$700,000
Home Care	\$200,000
TOTAL	\$4,400,000

The estimated cost for immigrants in the SAGA program is not available at this time. It should be noted that not all these individuals would be eliminated as of July 1st under current law, as the department would be required to continue benefits for victims of domestic abuse

and clients with mental retardation. The Appropriations Act, sHB 6668 (as favorably approved by the Appropriations Committee) includes no funding to continue eligibility for this population.

OLR Bill Analysis

sSB 935

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The Office of Legislative Research does not analyze special acts.

Human Services Committee

Joint Favorable Substitute Change of Reference

Yea 14 Nay 3

Appropriations Committee

Joint Favorable Report

Yea 49 Nay 0